

b6 sub 7 36. (AMENDED) The computer program carrier of claim 35 above, further comprising retrieving the filler contents from the server computer connected to the network.

37. (UNCHANGED) The computer program carrier of claim 27 above, wherein the identifying step is performed either at the client computer or at a server computer connected to the network

38. (UNCHANGED) The computer program carrier of claim 27 above, wherein the presenting step further comprises presenting the filler contents without interrupting the accessing of the data from the network.

39. (UNCHANGED) The computer program carrier of claim 27 above, further comprising deactivating the presenting step when the accessing of the data on the network is complete.

REMARKS

I. INTRODUCTION

In response to the Office Action dated August 30, 2000, claims 5, 10, 15, 16, 19, 20, 21, 31, and 36 have been amended. Claims 1-13 and 15-39 remain in the application. Entry of these amendments, and re-consideration of the application, as amended, is requested.

II. CLAIM AMENDMENTS

Applicants' attorney has made amendments to the claims as indicated above. These amendments were made solely for the purpose of clarifying the language of the claims, and were not required to distinguish the claims over the prior art.

III. PRIOR ART REJECTIONS

In paragraphs (1)-(2) of the Office Action, claims 1-39 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,572,643 (Judson) in view of "Proactive Universal Resource Locators Lookup in Internet Web Browsers", IBM Technical Disclosure Bulletin, vol. 40,

no. 9, September 1997, pp. 113-114; TDB0997.0041 (TDB) and further in view of U.S. Patent No. 5,864,611 (Ching).

Applicants respectfully traverse these rejections.

Independent claims 1, 15, and 27 are generally directed to an invention that alleviates problems associated with delays in accessing data on a network. First, data is accessed on a network from a client computer. The invention then identifies when a sufficient delay occurs during the accessing of the data. Thereafter, the invention presents filler contents on the client computer during the identified sufficient delay, wherein the filler contents are customized to a user's taste. None of the cited references teach or suggest this combination of elements.

Judson describes a method of browsing the Worldwide Web of the Internet using an HTML-compliant client supporting a graphical user interface and a browser. The method begins as a web page is being displayed on the graphical user interface, the web page having at least one link to a hypertext document preferably located at a remote server. In response to the user clicking on the link, the link is activated by the browser to thereby request downloading of the hypertext document from the remote server to the graphical user interface of the client. While the client waits for a reply and/or as the hypertext document is being downloaded, the browser displays one or more different types of informational messages to the user. Such messages include, for example, advertisements, notices, messages, copyright information and the like.

The IBM TDB discloses a web browser wherein, while the user is reading a web page, the idle time is utilized by checking the web site URLs listed on the current web site to see if the user would encounter any problems if any of these links were followed.

Ching describes a method of a system and method for estimating the traffic rates of large traffic sources. This knowledge is then used for network management functions.

As noted by the Office Action, Judson does not disclose the Applicants' claimed limitations of identifying when a delay occurs during the accessing of the data, and presenting filler contents on the client computer during the identified delay. However, the Office Action states that the IBM TDB teaches a system which identifies possible problems associated with delays in web pages. Thus, the Office Action asserts that it would have been obvious to incorporate the method of identifying access delays taught by IBM TDB in the system of Judson in order to increase the efficiency of the system by selectively displaying filler contents to only those links with high latency.

Also as noted by the Office Action, Judson-TDB does not disclose the Applicants' claimed limitations of identifying when a sufficient delay occurs during the accessing of the data, and presenting filler contents on the client computer during the identified delay. However, the Office Action states that Ching teaches network delays to a specific threshold. Thus, the Office Action asserts that it would have been obvious to incorporate the method of detecting sufficient delays as taught by Ching into the system of Judson-TDB for the purpose of further increasing the efficiency of the system by enabling detection of the amount of delay and applying the filler data accordingly.

Applicants disagree. Even when combined, the references do not teach or suggest the Applicants' claimed invention.

For example, Judson merely describes that informational messages are always displayed while the client is waiting for a reply, regardless of whether a sufficient delay occurs during the accessing of data. The IBM TDB teaches that web site URLs should be checked while the user is reading a web page, not while the client is waiting for a reply to a previous request. Ching estimates traffic rates for a number of different reasons, such as to (1) balance calling loads among different databases within a network, or (2) to predict/manage mass calling events, or (3) to perform general network overload management, or (4) to reroute the traffic, or (5) to improve resource allotment decisions, but none of these stated reasons include presenting filler contents on the client computer during the identified sufficient delay.

Thus, the references actually teach away from the Applicants' invention because they both perform their specified actions without identifying a sufficient delay while the client is accessing data (i.e., between the request and the response), and they do not customize the information to the user's taste. Indeed, Judson apparently always assumes (1) that there will be sufficient delay in the client accessing data that informational messages can be displayed, and (2) that previously viewed information can guide the system in choosing information of interest to the user; the IBM TDB (1) waits until after the data has been accessed, while the user is reading the accessed data, to check URLs, and (2) cares nothing about the interests of the user; and Ching estimates traffic rates of large traffic sources for network management purposes, not for the use of individual users. In contrast to all these references, the Applicants' claimed invention presents filler content customized to a user's taste only when a sufficient delay has been identified during the accessing of the data.

Consequently, the various elements of the Applicants' claimed invention together provide operational advantages over the systems disclosed in Judson, the IBM TDB, and Ching. In addition, Applicants' claimed invention solves problems not recognized by Judson, the IBM TDB, and Ching. Thus, Applicants submit that independent claims 1, 15, and 27 are allowable over Judson, the IBM TDB, and Ching. Further, dependent claims 2-13, 16-26, and 28-39 are submitted to be allowable over Judson, the IBM TDB, and Ching in the same manner, because they are dependent on independent claims 1, 15, and 27, respectively, and because they contain all the limitations of the independent claims. In addition, dependent claims 2-13, 16-26, and 28-39 recite additional novel elements not shown by Judson, the IBM TDB, and Ching.

IV. CONCLUSION

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectively solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicants' undersigned attorney.

Respectfully submitted,

Matthias Eichstaedt et al.

By their attorneys,

GATES & COOPER

Howard Hughes Center
6701 Center Drive West, Suite 1050
Los Angeles, California 90045
(310) 641-8797

Date: _____

10/30/2000

By: _____

Name: George H. Gates

Reg. No.: 33,500

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